

APPLICATION TRANSFER REQUEST FOR S.N. 091814.572Section I. TRANSFER REQUEST BY (PRINT NAME) McDermot Date 9/18/01TO: Art Unit (164) Class/sub 424/130.1 FROM: A.U. 3738 Class 128

REASON:

Claims drawn to process of applying compound which is no more than a mere application of the compound.

Gatekeeper concurrence \_\_\_\_\_

Hand carried: Personally accepted by \_\_\_\_\_

Section II a. DISPOSITION BY RECEIVING TC By: Chin A.U. 1641 Date 9/21/01☐ ACCEPTED BY RECEIVING T.C.

NOT ACCEPTED

☒ Forward to receiving TC Post Classifier☐ Non-classification issue/other, return to Originating TC/AU \_\_\_\_\_

REASON:

Does not belong in 1641. Not an immunoassay or device for performing an immunoassay.

## Section II b. DISPOSITION BY RECEIVING TC POST CLASSIFIER

☐ This dispute was resolved. Forward to TC/AU 3763 Class/Sub 604/20 Post Classifier \_\_\_\_\_ Date \_\_\_\_\_Concurring TSured Date 12/20/01☐ This dispute was not resolved, forward to DISPUTE RESOLUTION PANEL

Post Classifier Assessment:

There isn't any structure of the drug applying means in the claims, however the structure of the irradiation means can be deduced since it is merely a light source (i.e. laser). Class 514 & 424 Take methods of mere application, but the light is used to irradiate a specific area namely the uveal neovascularization. The drugs by disclosure are only orally or topically applied, but they are activated by the light source making this case proper for 604/20.

## Section III. DISPOSITION BY DISPUTE RESOLUTION PANEL

Panel Decision: Forward to Technology Center / Art Unit Class/sub \_\_\_\_\_

REASON:

Panel Member \_\_\_\_\_

Concurring Panel Member \_\_\_\_\_

☐ This application MAY NOT be returned to the dispute resolution panel. THIS IS A FINAL DISPOSITION.